

## REMARKS

Claims 1, 5, 8, 9, 11, 12, and 15 are pending in the application. Claims 11, 12, and 15 presently stand withdrawn as being drawn to non-elected subject matter. Rejoinder of claims 11, 12, and 15 is respectfully requested in view of the amendments to the claims and Applicants' remarks below.

Applicants have amended claim 1 to remove non-elected subject matter in the definition of variables R<sup>7</sup>-R<sup>14</sup>. Applicants have replaced the phrase "and pharmaceutically acceptable salts thereof" with "or a pharmaceutically acceptable salt thereof" in each of claims 9 and 15.

The foregoing amendments, which introduce no new matter, are being made for the sole purpose of expediting prosecution of the present application; and Applicants expressly reserve the right to pursue any subject matter in one or more continuing applications.

Claim 9 is rejected under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. The recitation of "salts" appears to be the basis of the rejection. Applicants respectfully disagree with the rejection; however, for the sole purpose of expediting prosecution of the application and without conceding to the propriety of the rejection, Applicants have replaced the phrase "and pharmaceutically acceptable salts thereof" with "or a pharmaceutically acceptable salt thereof" in claim 9. In view of the foregoing, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Claim 1 is objected to for reciting non-elected subject matter. Applicants have amended claim 1 to remove non-elected subject matter in the definition of variables R<sup>7</sup>-R<sup>14</sup>. In view of the foregoing, Applicants submit that claims 5 and 8 depend from a now allowable claim.

Applicant : Roger Victor Bonnert et al.  
Serial No. : 10/580,576  
Filed : May 25, 2007  
Page : 7 of 7

Attorney's Docket No.: 06275-0511US1 / 101301-1P  
US/R&I

Applicants submit that all claims are in condition for allowance.

No fee is believed due. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 06275-0511US1 / 101301-1P US/R&I.

Respectfully submitted,

Date: January 14, 2011

/John T. Kendall/

John T. Kendall, Ph.D.  
Reg. No. 50,680

Customer Number 26164  
Fish & Richardson P.C.  
Telephone: (617) 542-5070  
Facsimile: (877) 769-7945

22556464.doc